

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CR 20-160 NEB/LIB

UNITED STATES OF AMERICA,)	INDICTMENT
)	
Plaintiff,)	18 U.S.C. § 2251(a)
)	18 U.S.C. § 2251(e)
v.)	18 U.S.C. § 2252(a)(2)
)	18 U.S.C. § 2252(a)(4)(B)
BENJAMIN JOSEPH ROGGENBUCK,)	18 U.S.C. § 2252(b)(1)
)	18 U.S.C. § 2252(b)(2)
Defendant.)	18 U.S.C. § 2253(a)

THE UNITED STATES GRAND JURY CHARGES THAT:

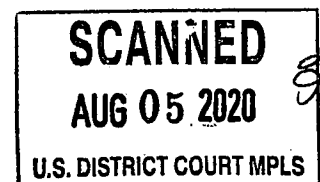
COUNT 1

(Production and Attempted Production of Child Pornography)

On or about February 20, 2020, in the State and District of Minnesota, the defendant,

BENJAMIN JOSEPH ROGGENBUCK,

attempted to and did employ, use, persuade, induce, entice, and coerce Minor A—a prepubescent minor whose identity is known to the grand jury—to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct—that is, a visual depiction of the defendant receiving oral sex from Minor A. This visual depiction, with file name “IMG_1679.HEIC,” was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).



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COUNT 2

(Production and Attempted Production of Child Pornography)

On or about February 12, 2020, in the State and District of Minnesota, the defendant,

BENJAMIN JOSEPH ROGGENBUCK,

attempted to and did employ, use, persuade, induce, entice, and coerce Minor B—a prepubescent minor whose identity is known to the grand jury—to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct—that is, a visual depiction of prepubescent Minor B’s genitals. This visual depiction, with file name “IMG_1309.JPG,” was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT 3

(Distribution of Child Pornography)

On or about February 13, 2020, in the State and District of Minnesota, the defendant,

BENJAMIN JOSEPH ROGGENBUCK,

did knowingly distribute a visual depiction using a means and facility of interstate and foreign commerce and that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, where the production of such visual depiction involved the use of a known prepubescent minor engaging in sexually explicit conduct and such visual depiction was of such conduct. This visual depiction,

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with file name “5e45b8f86ab6034439303848.jpg,” is a visual depiction of Minor B—a prepubescent minor whose identity is known to the grand jury—displaying her genitals, all in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

COUNT 4

(Possession of Child Pornography)

On or about February 20, 2020, in the State and District of Minnesota, the defendant,

BENJAMIN JOSEPH ROGGENBUCK,

did knowingly possess one or more matters, including but not limited to file names such as “28NzTQbK_1” and “lFogzKaD_1,” that contained visual depictions that had been mailed, shipped, and transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, by any means, including by computer, where the production of such visual depictions involved the use of known prepubescent minors engaging in sexually explicit conduct and such visual depictions were of such conduct, all in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

FORFEITURE ALLEGATIONS

Counts 1 through 4 of this Indictment are incorporated here for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253(a). As the result of the offenses alleged in Counts 1 through 4 of this Indictment, the defendant

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shall forfeit to the United States pursuant to Title 18, United States Code, Section 2253(a):

(1) any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of Chapter 110 of Title 18, United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110 of Title 18, United States Code;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property, including but not limited to the following items, which are being held in evidence:

- a. one Apple iPhone, Model 7 Plus, with serial number FYQZ202ZHFYD;
- b. one Compaq/HP laptop computer, Model Presario CQ61, with serial number CNF9520JYY;
- c. one hard drive, Model 2500BEKT, with serial number WXE0AA9S8931;
- d. one HP computer tower, Model P2-1113W, with serial number 3CR2030HR6;
- e. one hard drive, Model ST3500413AS, with serial number W2A6M8DA;
- f. one HP laptop computer, Model 15-F222WM, with serial number 5CD6328XP0; and
- g. one hard drive, Model WD5000LPCX, with serial number WX31A36JV9PA.

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If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON